

PTO/SB/21 (07-06)

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TRANSMITTAL FORM		Application Number																																		
(to be used for all correspondence after initial filing)		10/783,888																																		
		Filing Date																																		
		February 20, 2004																																		
		First Named Inventor																																		
		Joseph J. Kubler																																		
Art Unit		2661																																		
Examiner Name		Not yet assigned																																		
Total Number of Pages in This Submission		Attorney Docket Number																																		
11		14364US13																																		
ENCLOSURES (check all that apply)																																				
<table border="1"><tbody><tr><td><input type="checkbox"/> Fee Transmittal Form</td><td><input type="checkbox"/> Drawing(s)</td><td><input type="checkbox"/> After Allowance Communication to TC</td></tr><tr><td><input type="checkbox"/> Fee Attached</td><td><input type="checkbox"/> Licensing-related Papers</td><td><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences</td></tr><tr><td><input type="checkbox"/> Amendment/Reply</td><td><input type="checkbox"/> Petition</td><td><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)</td></tr><tr><td><input type="checkbox"/> After Final</td><td><input type="checkbox"/> Petition to Convert to a Provisional Application</td><td><input type="checkbox"/> Proprietary Information</td></tr><tr><td><input type="checkbox"/> Affidavits/declaration(s)</td><td><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address</td><td><input type="checkbox"/> Status Letter</td></tr><tr><td><input type="checkbox"/> Extension of Time Request</td><td><input type="checkbox"/> Terminal Disclaimer</td><td><input checked="" type="checkbox"/> Return-Receipt Postcard</td></tr><tr><td><input type="checkbox"/> Express Abandonment Request</td><td><input type="checkbox"/> Request for Refund</td><td><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Duplicates of PTO/SB/08(a) and PTO/SB/08(b); copy of non-patent literature document</td></tr><tr><td><input checked="" type="checkbox"/> Information Disclosure Statement</td><td><input type="checkbox"/> CD Number of CD(s) _____</td><td></td></tr><tr><td><input type="checkbox"/> Certified Copy of Priority Document(s)</td><td><input type="checkbox"/> Landscape Table on CD</td><td></td></tr><tr><td><input type="checkbox"/> Reply to Missing Parts/Incomplete Application</td><td></td><td></td></tr><tr><td><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53</td><td>Remarks</td><td></td></tr></tbody></table>				<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC	<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Return-Receipt Postcard	<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Duplicates of PTO/SB/08(a) and PTO/SB/08(b); copy of non-patent literature document	<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD Number of CD(s) _____		<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD		<input type="checkbox"/> Reply to Missing Parts/Incomplete Application			<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT																																				
Firm	McAndrews Held & Malloy, Ltd.																																			
Signature																																				
Printed Name	Kevin E. Borg Reg. No. 51,486																																			
Date	October 19, 2006																																			
CERTIFICATE OF MAILING																																				
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450																																				
Name (Print/type)	Kevin E. Borg	Registration No. (Attorney/Agent)	51,486																																	
Signature		Date	October 19, 2006																																	



Attorney Docket No. 14364US13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:  
Joseph J. Kubler et al.

Serial No.: 10/783,888

Filed: February 20, 2004

For: Hierarchical Data Collection  
Network Supporting Packetized  
Voice Communications Among  
Wireless

Group Art Unit: 2661

Examiner: Not yet assigned

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being  
deposited with the United States Postal Service  
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Commissioner for Patents, PO Box 1450,  
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Date of Deposit: October 19, 2006

By: Kevin E. Borg  
Kevin E. Borg  
Reg. No. 51,486

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT AFTER APPLICATION FILING DATE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- A completed PTO form PTO/SB/08(a) (in duplicate)
- A completed PTO form PTO/SB/08(b) (in duplicate)
- Copy of non-patent literature document as cited on PTO/SB08/(b)

## **FEE DETERMINATION**

\* No fee is believed to be due because:

The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

## **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

\* No fee is believed to be due.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REQUEST FOR CONSIDERATION**


This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

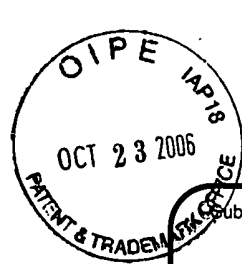
The Examiner is requested to initial both copies of the enclosed PTO form PTO/SB/08(a) and PTO/SB/08(b) and return one copy to the applicants to indicate consideration of the cited references.

Respectfully submitted,

Date: *October 19, 2006*

  
Kevin E. Borg  
Reg. No. 51,486

McAndrews, Held & Malloy  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000



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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

### Complete if Known

Application Number	10/783,888
Filing Date	February 20, 2004
First Named Inventor	Joseph J. Kubler
Art Unit	2661
Examiner Name	Not yet assigned
Attorney Docket Number	14364US13

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		6,850,510	February, 2005	Kubler et al.	
		5,506,847	April, 1996	Shobatake	
		5,650,994	July, 1997	Daley	
		5,745,556	April, 1998	Ronen	
		5,842,224	November, 1998	Fenner	
		6,108,704	August, 2000	Hutton et al.	
		6,131,121	October, 2000	Mattaway et al.	
		6,389,010	May, 2002	Kubler et al.	
		5,818,836	October, 1998	DuVal	
		5,850,385	October, 1998	Esaki	
		5,737,395	April, 1998	Imbarren	
		5,608,786	March, 1997	Gordon	
		5,726,984	March, 1998	Kubler et al.	
		4,789,983	December, 1988	Acampora et al.	
		5,359,598	October, 1994	Steagall et al.	
		5,434,858	July, 1995	Focarile et al.	
		5,446,736	August, 1995	Gleeson et al.	
		4,837,858	June, 1989	Ablay et al.	
		5,425,051	June, 1995	Mahany et al.	
		5,295,154	March, 1994	Meier et al.	
		4,538,259	August, 1985	Moore et al.	
		5,142,534	August, 1992	Simpson et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	10/783,888
Filing Date	February 20, 2004
First Named Inventor	Joseph J. Kubler
Art Unit	2661
Examiner Name	Not yet assigned
Attorney Docket Number	14364US13

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Black, Uyless, ATM Volume I, Prentice Hall, 1995, PP: 244-245	

Examiner  
SignatureDate  
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